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August 25, 2015

VIA E-MAIL

Katherine Polk Failla
United States District Judge
40 Foley Square, Room 2103
New York, NY 10007

Re: Car Charging Group, Inc., et al. v. Gerzanych, et al., Index No. 13 Civ. 8755 (KPF)

Dear Judge Failla,

My firm represents the Defendants in the above-captioned matter. I write pursuant to Your Honor's Individual Rule 2.A to inform you that the parties have reached an agreement in principle to settle this matter. As you know, Mr. Mason and Ms. Gerzanych are debtors in Chapter 11 cases pending in Los Angeles. As a result, the settlement will need to be approved by the Bankruptcy Court. I understand that the parties are seeking to set the settlement for approval on or about September 15, 2015. After approval, we anticipate that we will be filing within several weeks a stipulation of dismissal with prejudice for both related actions pending before Your Honor. We wanted to write to you now in light of the pending motion to dismiss, which was fully submitted on or about May 26, 2015, to make sure that Your Honor did not spend unnecessary judicial resources considering that motion in light of the anticipated settlement.

Please feel free to contact us should Your Honor have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Cary B. Samowitz'.

Cary B. Samowitz

cc: Counsel for Plaintiffs (via ECF)